



MAY 05 2006

Docket No. JBP0525USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Curtis Cole et al.

Serial No. : 09/677,737

Filed : October 2, 2000                      Examiner: Gina C. Yu

For : METHODS FOR REDUCTION OF INFLAMMATION AND ERYTHEMA

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(Date of Deposit)

Erin M. Harriman  
(Name of applicant, assignee, or Registered Representative)

/Erin M. Harriman/  
(Signature)

May 2, 2006  
(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure  
Statements mailed on May 11, 2001, November 6, 2001 and  
November 19, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37  
C.F.R. §§1.97-1.98, information relating to the above-  
identified application is hereby disclosed. Inclusion of  
information in this statement is not to be construed as an  
admission that this information is material as that term is  
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)  
(attached); or
- Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)  
(attached); or
- Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee.

Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2).

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows: English language abstracts are provided for DE 2436467, DE 4323174, EP029000, FR 2742990 and JP 11071233. English Equivalents provided for JP5-194186, JP8-986, JP8-268874, JP2000-512636 and JP2003-519165. Translation of JP10-218753, JP11-158055, JP2001-306778 will be forwarded upon receipt.

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

The non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D are not enclosed herewith.

In view of the voluminous nature of the pending patent applications, and the likelihood that these patent applications are available to the Examiner, copies are not enclosed herewith.

If any of the listed pending patent applications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to  
Deposit Account No. 10-0750/JBP0525USNP/EMH. This form is  
submitted in triplicate.

Respectfully submitted,

/Erin M. Harriman/  
Erin M. Harriman  
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DATED: May 2, 2006



PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,205,135		Lief Tybring	09/07/1965	
		3,551,554		Robert John Herschler	12/29/1970	
		4,021,572		Eugene J. Van Scott et al.	05/03/1977	
		4,105,782		R. J. Yu et al.	08/08/1978	
		4,197,316		R. J. Yu et al.	04/08/1980	
		4,234,599		Van Scott et al.	11/18/1980	
		4,380,549		Van Scott et al.	04/19/1983	
		4,505,896		Joel E. Bernstein	03/19/1985	
		5,152,419		Yanagi	10/06/1992	
		5,204,105		Jack Mausner	04/20/1993	
		5,523,090		Znaiden et al.	06/04/1996	
		5,635,469		Timothy J. Fowler et al.	06/03/1997	
		5,646,186		Wang et al.	07/08/1997	
		5,665,776		Yu et al.	09/09/1997	
		5,679,374		Chantal Fanchon et al.	10/21/1997	
		5,744,148		Habif et al.	04/28/1998	
		5,753,637		Karen G. Fried	05/19/1998	
		5,800,596	A	Nathalie Collin et al.	09/01/1998	Eng. Equivalent of JP8-986
		5,847,003		Dmitri Ptchelinsev et al	12/08/1998	
		5,879,690		Nicholus V. Pericone	03/09/1999	
		5,889,054		Ruey J. Yu et al.	03/30/1999	
		5,922,346		Theodore Hersh	07/13/1999	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 4

<i>Application Number</i>	09/677,737
<i>Filing Date</i>	October 2, 2000
<i>First Named Inventor</i>	Curtis Cole et al.
<i>Group Art Unit</i>	1617
<i>Examiner Name</i>	Gina C. Yu
<i>Attorney Docket Number</i>	JBP0525USNP

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		Number	Kind Code <sup>2</sup> (if known)			
		5,932,215	A	Olivier de Lacharriere et al.	08/03/1999	Eng. Equivalent of JP8-268874
		5,932,229		Dmitri Ptchelintsev et al.	08/03/1999	
		5,942,250		Ruey J. Yu et al.	08/24/1999	
		5,994,330		Georges F. El Khoury	11/30/1999	
		6,069,169		Dmitri Ptchelintsev et al.	05/30/2000	
		6,120,779		S. Nayak et al.	09/19/2000	
		6,180,133		Quan et al.	01/30/2001	
		6,277,881		Uma Santhanam et al.	08/21/2001	
		6,265,364		LaTonya Kilpatrick-Liverman et al.	07/24/2001	
		6,521,237		Curtis A. Cole et al.	02/18/2003	
		6,544,531		Curtis A. Cole et al.	04/08/2003	
		2002/0071818	A1	Curtis A. Cole et al.	06/13/2002	
		2003/0095991	A1	Curtis Cole et al.	05/22/2003	
		2004/0191206	A1	Curtis Cole et al.	09/30/2004	
		2004/0213754	A1	Curtis A. Cole et al.	12/28/2004	
		2005/0238730	A1	Agnes L Fur et al.	10/27/2005	

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### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		DE	2436467	A	Henkel & CIE GmbH	02/12/1976	Abstract	
		DE	4323174	C2	Rhone Poulenc Rorer	07/10/1993	Abstract	
		EP	029000		Interco SH (CH)	05/20/1981	Abstract	
		EP	0109102	A2	Procter & Gamble Company	05/23/1984		
		EP	0413528	B1	Ruey J. Yu et al.	02/20/1991		
		EP	0530865	A	Crinos Industria Farmacobiologica	03/10/1993	Eng. Equivalent of JP5-194186	
		EP	0852949	A2	Shiseido Co company Limited	07/15/1998		
		EP	0858799	A2	Unilever PLC	08/19/1998		
		EP	1192939	A2	Johnson & Johnson Consumer Companies, Inc.	04/03/2002		
		EP	1219288	A2	Johnson & Johnson Consumer Companies, Inc.	07/03/2002		
		FR	2742990	A1	Pierre Fabre S.A.	12/28/1995	Abstract	
		GB	474,820		Max Factor and Co.	04/05/1935		
		GB	1050756		Nestle's Products Limited	09/02/1965		
		GB	1589224		Eugene Joseph Van Scott et al	05/07/1981		
		JP	5-194186			08/03/1993		
		JP	8-986			01/09/1996		
		JP	8-268874			10/15/1996		
		JP	10-218753			08/18/1998		
		JP	11071233	A	Shiseido Co Ltd	03/16/1999	Abstract	
		JP	11158055			06/15/1999		
		JP	2000-512636	A		09/26/2000		
		JP	2001-306778	A		11/02/2001		

Examiner Signature	Date Considered
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<i>Application Number</i>	09/677,737
<i>Filing Date</i>	October 2, 2000
<i>First Named Inventor</i>	Curtis Cole et al.
<i>Group Art Unit</i>	1617
<i>Examiner Name</i>	Gina C. Yu
<i>Attorney Docket Number</i>	JBP0525USNP

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>			
		JP	2002-179519	A			
		JP	2003-519165	A		06/17/2003	
		WO	97/47171	A1	SmithKline Beecham PLC	12/18/1997	
		WO	98/00505	A	Johnson & Johnson Consumer Products, Inc.	01/08/1998	
		WO	98/04280	A	Sandor Toth	02/05/1998	
		WO	98/40063	A	Jane Fine Chemicals Inc.	09/17/1998	
		WO	00/16739	A	L'Oreal (with its English equivalent US 2000/0012684)	03/30/2000	
		WO	01/01949	A	Johnson & Johnson Consumer Companies	01/11/2001	
		WO	01/49250	A2	Nicholas V. Perricone	07/12/2001	

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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